

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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JOHN JAKUBOWSKI,

Plaintiff,

Case No. 1:18-cv-391

v.

Honorable Paul L. Maloney

MICHIGAN DEPARTMENT OF  
CORRECTIONS et al.,

Defendants.

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**REVISED ORDER FOR PARTIAL DISMISSAL**  
**AND TRANSFER**

On April 26, 2018, after reviewing the complaint under 28 U.S.C. §§ 1915(e)(2), 1915A; 42 U.S.C. § 1997e(c), the Court issued an Opinion (ECF No. 4) dismissing the claims against Defendants Michigan Department of Corrections and Unknown Party #1 for failure to state a claim and directing transfer of the remainder of the complaint to the Eastern District of Michigan. That same date, the Court entered an Order (ECF No. 5) intended to accord with the Opinion. The Order, however, inaccurately reflected the substance of the Opinion. Accordingly,

**IT IS ORDERED** that the Order (ECF No. 5) issued on April 26, 2018, is hereby **VACATED**.

**IT IS FURTHER ORDERED** that, consistent with the Opinion issued on April 26, 2018, Plaintiff's action against Defendant Michigan Department of Corrections and Unknown Party #1 be **DISMISSED WITH PREJUDICE** on grounds of immunity and failure to state a claim upon which relief may be granted, pursuant to 28 U.S.C. §§ 1915(e) and 1915A, and 42 U.S.C. § 1997e(c).

**IT IS FURTHER ORDERED** that the remainder of the action be **TRANSFERRED** to the Eastern District of Michigan, under 28 U.S.C. §§ 1391(b) and 1404(a).

Dated: April 26, 2018

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge